

16138 U.S. PTO  
112003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UTILITY PATENT APPLICATION TRANSMITTAL LETTER

Attorney Docket No.: H1797

Mailing Date: 11/20/03

31281 U.S. PTO  
10/718459  
112003

Express Mail Label No.: ER145706286US

To: Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing under 37 C.F.R. 1.53(b) is a:

- ☒ New Nonprovisional Utility Patent Application; or
- ☐ Continuation; or ☐ Divisional; or ☐ Continuation-In-Part (CIP);  
of prior US Application No. \_\_\_\_\_, filed on \_\_\_\_\_, having U.S. Examiner  
\_\_\_\_\_, in Group Art Unit \_\_\_\_\_

Of: Matthew S. Buynoski

For: **METHOD FOR MANUFACTURING A MEMORY ELEMENT**

- ☒ 2 sheets of drawings and 13 pages of specification and claims and one page Abstract.
- ☒ Newly executed oath or declaration combined with Power of Attorney on 2 pages.
- ☒ An Assignment Transmittal Letter and Assignment of the invention to ADVANCED MICRO DEVICES, INC.
- ☒ An Information Disclosure Statement (IDS), with PTO-1449, and citation copies.
- ☒ Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i).
- ☒ Return Receipt Postcard (two)
- ☐ Preliminary Amendment.
- ☐ Incorporation by Reference (for Continuation/Division/CIP application). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. Since the present application is based on a prior US application, please amend the specification by adding the following sentence before the first sentence of the specification:

"The present application is based on prior US application No. \_\_\_\_\_, filed on \_\_\_\_\_, which is hereby incorporated by reference, and priority thereto for common subject matter is hereby claimed."

- ☐ Applicant hereby petitions pursuant to 37 C.F.R. § 1.136(a) for a \_\_\_\_\_ month extension of time for response to the outstanding Official Action mailed \_\_\_\_\_. The period for response was previously set to elapse \_\_\_\_\_, and is accordingly hereby extended to \_\_\_\_\_, which is still within the six-month statutory period for response (35 U.S.C. § 133) which elapses \_\_\_\_\_. The reason for this petition is that a Division, Continuation, or CIP is being filed, and it is desired to maintain the present application in pending condition pursuant to 35 USC § 120 through at least the filing of the Division, Continuation, or CIP application. The required Extension Fee established by 37 C.F.R. § 1.17(a) pursuant to 35 U.S.C. § 41(a) (8) is:

| EXTENSION                             | FEE        |
|---------------------------------------|------------|
| <input type="checkbox"/> First Month  | \$110.00   |
| <input type="checkbox"/> Second Month | \$400.00   |
| <input type="checkbox"/> Third Month  | \$920.00   |
| <input type="checkbox"/> Fourth Month | \$1,440.00 |
| <input type="checkbox"/> Fifth Month  | \$1,960.00 |

- ☒ The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CANCELED BY AMENDMENT

| FOR                       | NUMBER OF CLAIMS | NUMBER EXTRA | RATE   | FEE         |
|---------------------------|------------------|--------------|--------|-------------|
| TOTAL CLAIMS              | 23 - 20 =        | 3            | x \$18 | = \$ 54.00  |
| INDEPENDENT CLAIMS        | 4 - 3 =          | 1            | x \$86 | = \$ 86.00  |
| MULTIPLE DEPENDENT CLAIMS |                  |              | \$270  | = \$ 0.00   |
| BASIC FEE                 |                  |              |        | = \$ 770.00 |
| ASSIGNMENT RECORDATION    |                  |              |        | = \$ 40.00  |
| TOTAL FILING FEE          |                  |              |        | = \$ 950.00 |

- ☒ Enclosed are two checks in the amount of \$910.00 and \$40.00 for the Total Filing Fee and Assignment Fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required now or in the future during the entire pendency of this application under 37 C.F.R. 1.16 or 37 C.F.R. 1.17, including any present or future time extension fees which may be required, or credit any overpayment to Deposit Account No. 50-2173.
- ☒ This sheet is submitted in duplicate.

This transmittal letter has 2 total pages.

DATE

20 November 2003

Rennie William Dover 36,503  
 Rennie William Dover REG. NO.  
 ADVANCED MICRO DEVICES, INC.  
 Agent of Record  
 Telephone No.: (602) 322-4000  
 Facsimile No.: (602) 322-4101

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |  |                        |   |
|---|--|------------------------|---|
| <b>NONPUBLICATION REQUEST<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> |  | First Named Inventor   | Matthew Buynoski                          |
|   |  | Title                  | METHOD FOR MANUFACTURING A MEMORY ELEMENT |
|   |  | Attorney Docket Number | H1797                                     |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

20 November 2003  
Date

Rennie William Dover  
Signature

602-322-4074  
Telephone number

Rennie William Dover, Reg. No. 36,503  
Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.